

In re Patent Application of:

YOUNG ET AL.

Serial No. **10/083,794**

Filed: **FEBRUARY 27, 2002**

REMARKS

Claims 1 to 7 are currently pending. Applicant hereby affirms the election of claims 1 to 4, in accordance with the provisional election made by telephone on March 3, 2004. Applicant hereby withdraws claims 5 to 7 from further prosecution at this time. Claims 1 to 4 have been rejected under 35 U.S.C. 102(a) as being anticipated by United States Patents Nos. 4,034,202 (Vandermark) and 6,108,901 (Kossor). Claims 1 to 4 have been rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The drawings have been objected to under 37 CFR 1.83(a) for not showing the step of "peeling a portion of the adhesive pad away from the circuit board".

The claims of the application have been amended to overcome the objections of the Examiner and to better define the invention in light of the prior art. In particular, claim 1 has been amended to further define that the adhesive pad is positioned between the optical device package and the circuit board, and that the leads extend outwardly from the optical device for soldering to the circuit board to clarify the relationships between the elements of the invention, as suggested by the Examiner. Furthermore, the phrase "the fork portion" has been amended to refer to the "fork portions", as previously defined in the claim.

Applicant respectfully disagrees with the Examiner's assessment of the Vandermark reference. In particular, that the Vandermark reference discloses the use of an adhesive pad

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(98), when, in fact, reference numeral 98 refers to the "soldered connections". Accordingly, the Vandermark reference could not disclose the step of "peeling a portion of the adhesive pad", since no adhesive pad is disclosed. Moreover, the Vandermark reference does not disclose: "inserting an optical removal tool between the optical device and the circuit board", whereby "the fork portions straddle one or more leads". The tool disclosed in Vandermark is never inserted between the optical device and the circuit board, and, in fact, according to Column 6, lines 53 to 56, "each tip contacts all of the pins of the side of the circuit pack at the solder joints". Accordingly, the leads are actually contacted, not straddled, by the tool in the Vandermark reference, which thereby prevents the tool from being inserted between the optical device and the circuit board.

Similarly, Applicant does not believe that the Kossor reference discloses the use of an adhesive pad between the device package and the circuit board. Therefore it is impossible for the Kossor reference to anticipate steps a) and c) of the present invention. Furthermore, the removal tool in the Kossor reference is not inserted between the optical device and the circuit board for prying the optical device therefrom, but rather inserted into existing mounting holes found in special mounting flanges. The Kossor tool simply grasps the device for pulling the device from the board, not for prying the device from the board, which requires leverage.

Applicant proposes to add Figure 19D to more clearly illustrate the step of "peeling a portion of the adhesive pad away from the circuit board", as clearly defined in the claims and described in the description on pages 38 to 41. New

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Figure 19D is similar to 19B; however, the sharp ends of the fork portions 910 are shown underneath the adhesive pad 604.

New claims 8, 9 and 10 have been added to ensure all aspects of the invention are protected.

As such, it is respectfully submitted that all of the claims remaining in the application are in condition for allowance. Early and favorable consideration would be appreciated.

Should any minor informalities need to be addressed, the Examiner is encouraged to contact the undersigned attorney at the telephone number listed below.

Please charge any shortage in fees due in connection with the filing of this paper, including Extension of Time fees, to Deposit Account No. 50-1465 and please credit any excess fees to such deposit account.

Respectfully submitted,



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